

Board of Selectmen's Meeting  
December 20, 2012

Present: First Selectman Gayle Weinstein; Selectman David Muller; Selectman Dennis Tracey; Town Administrator Tom Landry; Administrative Assistant Judy DeVito; Residents.

**This meeting was recorded and videotaped. Copies are available in the Selectmen's office. The meetings are available for viewing online via the Town's website.**

**Ms. Weinstein called the meeting to order at 7:30pm**

**Pledge of Allegiance-**

**Discussion/decision regarding a resolution in response to the Newtown's tragedy.**

Mr. Tracey read a resolution ( copy attached to the minutes.) Mr. Muller moved that the Board of Selectmen approve a resolution in response to the Newtown tragedy. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding authorization to allow the property owners of 184 Lyons Plains Road to submit an application to the Conservation Commission for site work and wetlands plantings on Town owned property adjacent to the Saugatuck River.** Meghan Raymond the Manson's engineer, said they are looking to remove the sediment and do plantings on Town owned area off the Saugatuck River. Tonight they are seeking permission to do these activities on the Town property.

Ms. Weinstein said that she has worked with Town Attorney Pat Sullivan to create a document that ensures that the Mansons will maintain the property appropriately as well as any future property owners. The wording would have to be put in the deed when they sell the property. Basically, they want to clean up what's in their backyard. Ms. Weinstein said the question that they have to answer tonight is do we feel it's appropriate to allow homeowners to make improvements on Town property.

Ms. Weinstein is a favor of this. What they are looking to do would not cost the Town anything, and it is an improvement to the Town of Weston. Her concern is that if someone else came forward and asked the same of the Town, are we setting a precedent that we can't accept?

Mr. Tracey said his question is that the liability issues are property sorted out so that the Town is not responsible for any injuries or damages that occur as a result of private parties performing work on Town owned land. Ms. Raymond said they would sign a waiver.

Mr. Muller moved to authorize the property owners of 184 Lyons Plains Road to submit an application to Conservation Commission for site work and wetlands plantings on Town owned property adjacent to the Saugatuck River subject to satisfaction of necessary liability waivers. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding supplemental appropriation request in an amount up to \$10,000 for the purpose of Town website update- Sharon Shattuck.**

Sharon Shattuck gave the Board some background on the town's website. She contacted Raven Creative, the company that we currently use and three other companies to get prices for updating the website. The cheapest company was Virtual Town Hall who Sharon has worked with before but they are very difficult to work with. She is proposing that the Selectmen accept the offer from Raven Creative. This request was approved by the Board of Finance at their meeting last night.

Mr. Tracey moved to approve a supplemental appropriation in an amount up to \$10,000 for the Town of Weston website update. Mr. Muller seconded and the motion passed unanimously.

**Discussion/decision regarding use of Hurlbutt's North House-** Ms. Weinstein said when she originally put this on the agenda she was hoping to tell the Board that the Board of Education approved transfer of the first floor from the school to the Town with the intent of making the second floor into administrative office space for school and town offices by the year 2015/2016. Because of the events that took place in Newtown, at this point in time, the Superintendent is uncomfortable having those conversations. The Board of Education made a motion to table the conversation regarding North House indefinitely. She said we have to let things settle down and respect the Board of Education's decision.

**Discussion/decision regarding the reappointment of Mark Harper as the Animal Control Officer for a term to expire December 31, 2013.** Mr. Harper said the number one increase in calls have been coyotes. Unlike other animal control officers 50% of the calls that he gets are wild life related. As of January first they will start a program of the reduction of the numbers of coyotes in Town.

Dog licenses are a problem in Town. The state has a program going door to door to make sure that all dogs are licensed but he would prefer to do it another way.

Mr. Muller moved to reappoint Mark Harper as the Animal Control Officer for a term to expire December 31, 2013. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding the reappointment of Nancy McCormick as Weston's representative on the Westport/Weston Health District for a term to expire December 15, 2015.** Nancy said the Health District board is made up of five members, two from Weston and three from Westport. She is currently on her second term serving as Chair. They are mostly a policy board and develop the budgets. It's been a hard couple of years because they had to reduce their budget by \$300,000 and had to face some hard decisions regarding personnel which they did. They have hired a new director who is doing great things and they are very pleased with him and things are going well.

Mr. Tracey moved to reappoint Nancy McCormick as Weston's representative on the Westport/Weston Health District for a term to expire December 15, 2015. Mr. Muller seconded and the motion passed unanimously.

**Discussion/decision regarding the reappointment of Harriette Heller to the Board of Ethics for a term to expire December 31, 2014.** Harriette Heller said she has served on the Board of Ethics for 4 years and it has been a very challenging and interesting year.

Mr. Tracey asked if there had been any effort to review the Town Ethics code and update it. Ms. Heller said yes they are still working on it. There is no timeframe as to when it is to be completed. Mr. Tracey said that they would love to have more information about the timing.

Mr. Muller moved to reappoint Harriette Heller to the Board of Ethics for a term to expire December 31, 2014. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding the reappointment of Louise Hastings to the Bicycle and Pedestrian Committee for a term to expire December 31, 2014.** Louise said that things are going great. She loves the committee and Ray does a terrific job as chairman. It is slow going but they are all in it for the long term. She wants to continue on the committee.

Mr. Tracey moved to reappoint Louise Hastings to the Bicycle and Pedestrian Committee for a term to expire December 31, 2014. Mr. Muller seconded and the motion passed unanimously.

**Discussion/decision regarding the reappointment of Lynne Langlois to the Historic District Commission for a term to expire December 31, 2017.** Lynne said the Historic District has been quiet lately. They only meet when they have applications before them or something unusual. They don't have many properties in the historic district and many of them have already been renovated.

Mr. Muller made a motion to reappoint Lynne Langlois to the Historic District Commission for a term to expire December 31, 2017. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding the appointment of Theodore von Rosenvinge to fill the vacancy (David Rosenberg) on the Conservation Commission for a term to expire December 31, 2013.** Mr. von Rosenvinge said he is a registered professional engineer in Connecticut and a number of other States. He is a Civil Engineer and specializes in underground construction. He is president of an engineering firm and they work on many small projects that sometimes go before Boards in various municipalities in the State. He's been to many commission hearings of either wetland or Planning and Zoning, usually testifying. He has served on many Boards but this is the first time on a Municipal Board.

Ms. Weinstein asked if he would have any occasion to come before the Board in Weston. He said he would have to recuse himself, if a client was from Weston. He has done 30 to 40 projects in Ridgefield but none in Weston.

Mr. Tracey moved to appoint Theodore von Rosenvinge to fill the vacancy on the Conservation Commission for a term to expire December 31, 2013. Mr. Muller seconded and the motion passed unanimously.

**Discussion/decision/interview regarding the appointment of Barbara Groves, Richard Ross and William Alderson to fill two vacancies on the Library Board for a term to expire December 31, 2013.**

**Barbara Groves-** She has been a teacher in Ridgefield and sees an opportunity to serve the Town. She is experienced in literacy issues. She sees a vibrant library and would very much like to get involved. She can see herself being a liaison between the library and the schools. She has a fascination with international and comparative education.

**Richard Ross-** He would like to give back to the community and the library can be a place for adult education. Our schools are for our children. He said that it's hard to find a study program for adults and the library can help enable that.

**William Alderson-** He has lived in Weston about 8 years and spends a lot at the library and serving on the Board might give him an opportunity to get more involved in the community. During the last two storms the library had some difficulty with the wifi set-up and from his background in IT he showed them how to setup the network router to get more people online. He really enjoys the capabilities of the library and he is hoping to do something more to help people.

Ms. Weinstein said there are two openings and three candidates. After some discussion Mr. Tracey moved to appoint Barbara Groves and Richard Ross to fill the vacancies on the Library Board for a term to expire December 31, 2013. Mr. Muller seconded and the motion passed unanimously. Ms. Weinstein said that we will be calling Mr. Alderson the next time we have an opening for the library or something else because he has an excellent background.

**Discussion/decision/interview regarding the appointment of Margarita Shapiro to fill a vacancy on the Commission on Aging for a term to expire December 31, 2014.**

Margarita has lived in Weston for 22 years. She was very involved in the PTO when her kids were in the school system. She has a background in nursing with a specialty in Geriatrics and has always gravitated towards that age population.. She sees this as an opportunity to make Weston more user friendly for seniors, a place where seniors can stay and be a really vibrant part of the community.

Mr. Muller moved to appoint Margarita Shapiro to fill the vacancy on the Commission on Aging for a term to expire December 31, 2014. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding the reappointment of Nina Daniel and Helen de Keijzer to the Commission on Aging for a term to expire December 31, 2014.**

**Nina Daniel-** She oversaw the creation on the Friends of the Weston Senior Activities Center which is now a 501(c) (3). The Commission on Aging, the Friends and the staff at the senior center are all working together and help each other.

Mr. Tracey moved to reappoint Nina Daniel to the Commission on Aging for a term to expire December 31, 2014. Mr. Muller seconded and the motion passed unanimously.

**Helen de Keijzer-** She said they have had a very busy year. They had a change in the staff at the center and are very fortunate to have an extremely able and warm set of folks. Between Friends coming into existence and doing more fund raising, and more volunteers, all sorts of things have been changing. The commission did the directory a couple of years ago. The renovation of the space has transformed the physical look and it is much more inviting and appropriate for adults.

Mr. Muller moved to reappoint Helen de Keijzer to the Commission on Aging for a term to expire December 31, 2014. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding the proposed ordinance changes to Chapter 2, Administration, Article 1. In General, Sec. 2-1. Official signposts  
Chapter 11, Sales and Solicitations, Article 1. In General, Sec. 11-2, same--Permit; required, fee  
Chapter 11, Sales and Solicitations, Article 11. Tag Sales, Section 11-21 Application; conditions  
Chapter 11, Sales and Solicitations, Article 11. Tag Sales, Section 11-22. Exceptions as to frequency.**

A public hearing was held early this evening regarding Official signposts and Sales and Solicitations.

Mr. Tracey moved that the Town of Weston adopt a proposed ordinances changes to Chapter 2, Administration, Article 1. In General, Sec. 2-1. Official signposts  
Chapter 11, Sales and Solicitations, Article 1. In General, Sec. 11-2, same--Permit; required, fee  
Chapter 11, Sales and Solicitations, Article 11. Tag Sales, Section 11-21 Application; conditions  
Chapter 11, Sales and Solicitations, Article 11. Tag Sales, Section 11-22. Exceptions as to frequency. Mr. Muller seconded and the motion passed unanimously.

**Discussion regarding updating the personnel handbook-** Ms. Weinstein said the previous handbook was updated in the 1980. Tom Landry is working on this with our labor attorney Courtney George but he is home sick tonight.

Mr. Tracey said that there are areas where the handbook is not consistent with the charter and some areas that need to be tightened up. He went through the changes that he saw. One change was the sections relating to hours of work, it specifies for full-time employees that the lunch hour is included in the hours. It doesn't specify for part-time employees. There are many places in the document that this needs to be addressed.

Ms. Weinstein said we will have more discussion on the personnel handbook

**Discussion/decision regarding assault weapon ordinances-** Mr. Tracey said this issue follows from the resolution that was passed earlier in the meeting with a commitment on the part of this Board of Selectmen to take ownership of the issue of safety in our community. He wanted to start a dialog on what steps we can take to ensure safety in our community. It is a very difficult and complicated question. It depends on actions by many other people, it's a complex sociological issue and it is not all within our power to control.

In reviewing both federal and state law as well as our local ordinances, it's quite clear to him that there are significant gaps in our regulation of firearms which could cause a serious risk to our population and to our children. This review has prompted him to begin a dialog with Chief Troxell and others who are experts in this field and he wants to continue that dialog to make sure that we understand what the issues are that we need to correct and to move forward to correct them locally without waiting for the federal or state government to figure it out.

He has begun discussion about several local ordinances which would help to close some of the loop holes that have caused some of these terrible tragedies. Firstly, they relate to banning assault weapons which is something that the federal government has faulted on and we in Weston have a right to be protected from weapons that belong on a military battle field and not within close range of our children or disturbed persons.

Secondly, it relates to good storage of weapons. Our constitution guarantees the right to have weapons in the home and we have to respect that but it is also incumbent upon us as a society to make sure that those weapons are stored properly and not made available for use by persons who are not trained and who don't know how to use them.

Thirdly, there are some very significant loop holes in our process for permitting weapons and weapon owners which he has started discussion with Chief Troxell and others, and he intends to continue that dialog to present proposals to the board and to the community.

George Guidera had called us to tell us that we did have an ordinance on banning weapons which dates back to 1990. That ordinance did talk about some of the things that are in the proposed ordinances. Mr. Tracey said there is a ban on the discharge of assault weapons but he thinks it requires reexamining.

Ms. Weinstein said that she and Mr. Muller agree with what Mr. Tracey is trying to accomplish but one of the conversations that she would like him to have with Town Attorney and the Chief Troxell is if can we put ordinances in place that we may not be able to monitor. She said that she did not legally know what you can do about that. Ms. Weinstein asked Mr. Tracey to take the lead on this. There was much discussion with the public.

Mr. Muller said it is cultural. In 2008 guns were responsible for 17 deaths in Finland, 35 in Australia, 39 in England and Wales, 60 in Spain, 194 in Germany, 200 in Canada and 9,500 in the United States. In his mind there is something slightly off when the United States counts for between 35 and 45 percent of all hand guns in the world. He cannot believe that this is what the founding fathers intended. He wants to be clear that we are being thoughtful and deliberate in how we go about this and before we implement something that we are addressing the problem accurately. We have to be clear and honest with ourselves that we are never going to be in a position to solve or prevent everything.

A copy of the proposed ordinance is attached to the minutes.

### **Open Items**

#### **Updates**

**Grants- Gayle Weinstein**-Sgt. Ferullo met with the FEMA representative and started the process to submit the paperwork for reimbursement for that. We are hoping to get back between 75% and 100% of the reimbursable expense.

**Regionalization-** No new news

**Any other business to come properly before the meeting.-None**

At 10:00pm Mr. Muller moved to adjourn the meeting. Mr. Tracey seconded and the motion passed unanimously.

Respectfully submitted

Judy M. DeVito  
Administrative Assistant  
Approved 1/17/13